

REMARKS

Claims 1, 2, 4-15, 17-28, and 30-40 were presented for examination. The Office Action dated March 22, 2005 rejects all of these claims, and objects to claims 5 and 35 for improperly identifying these claims as "original". This paper cancels independent claims 1, 14, 27, and 40, amends claims 2, 4, 6, 7, 9, 15, 17-20, 22, 28, 30, 33, and 35, and adds new claims 41-44. Applicant thanks the Examiner for pointing out the informalities with respect to claims 5 and 35. This paper makes the appropriate corrections to claims 5 and 35, which should satisfy the objection. Support for the amendments and new claims can be found throughout the specification in general and on pages 26-29 in particular. Claims 2, 4-13, 15, 17-26, 28, 30-39, and 41-44 are now pending in the application.

Rejection of Claims 1, 2, 4, 5, 7-10, 14, 15, 17, 18, 20-23, 25, 27, 28, 30, 31, 33-36, 38, and 40 under 35 U.S.C. 102(b)

The Office Action rejects claims 1, 2, 4, 5, 7-10, 14, 15, 17, 18, 20-23, 25, 27, 28, 30, 31, 33-36, 38, and 40 under 35 U.S.C. 102(b) as being unpatentable over Bertin (U.S. Patent No. 5,678,167). In view of the cancellation of independent claims 1, 14, 27, and 40, Applicant submits that this rejection is moot. Notwithstanding, Applicant respectfully traverses the

rejection to the extent it is maintained against the newly added independent claims 41-44.

As set forth in representative independent claim 41, the Applicant's invention aggregates filters on a network device for providing access to a resource on a network. Instructions are installed on the network for implementing a filter having matching criteria that limit access to the resource to a first network device based on a network address associated with the first network device. The Applicant's invention determines that a second network device requests access to the resource and identifies a range of network addresses based on the network addresses associated with the first and second network devices. The matching criteria of the filter are modified such that the filter grants access to the resource to any network device associated with a network address within the range of network addresses. Thus, the Applicant's invention operates to aggregate filters, that is, a single filter that limits access to a resource to a network device – based on a network address associated with that network device – is modified to grant access to the resource to multiple network devices, i.e., any network device associated with a network address within a range of network addresses.

Bertin teaches a method for bandwidth reservation, in which an access node, in response to a connection request from a user, sends a Bandwidth

Request message to each transit node along a chosen path in an attempt to reserve bandwidth on each link of the path. The Bandwidth Request specifies the requested capacity (col. 13, lines 20-40). Each transit node replies to the requesting node with the amount of capacity granted.

Presume, for the sake of argument only, that each transit node in Bertin can be understood to apply a filter, i.e., to determine whether that transit node can supply the requested bandwidth, and that each transit node can be seen to apply matching criteria, i.e., the amount of available capacity versus the amount of requested capacity. Also presume that more than one user can request access to the bandwidth of the same link. Even presuming these conditions, Bertin's transit nodes do not decide whether to allocate a bandwidth *based on the network address* of the user nodes, but rather *on the capacity* requested by each user. If capacity is available, a transit node grants access to the resource, but if capacity is not available, the transit node rejects the request unless the requesting user has a higher priority than a user currently accessing the resource. Therefore, unlike the Applicant's invention, Bertin does not disclose or suggest a filter having matching criteria *based on a network address* associated with a network device, as now set forth in the Applicant's claimed invention.

Moreover, Bertin does not disclose or suggest identifying a range of network addresses based on the network addresses associated with first and second network devices requesting access to the resource, as now set forth in the Applicant's claimed invention. Thus, Bertin cannot be seen to suggest the Applicant's claimed method of aggregating filters, that is, Bertin does not disclose or suggest modifying the matching criteria of a filter such that the filter grants access to any network device having a network address within the *identified* range of network addresses, as now set forth in the Applicant's claims.

Therefore, because Bertin fails to disclose or suggest modifying the matching criteria of a filter such that the filter grants access to any network device having a network address within a range of network addresses – this range being identified based on the network addresses associated with first and second network devices requesting access to a resource – Applicant respectfully submits that Bertin does not anticipate or suggest the Applicant's claimed invention and that the rejection to the claims is overcome.

Independent claims 42-44 recite language similar to the language recited in claim 41. Therefore, these independent claims are also patentably distinguishable over Bertin for at least those reasons provided in connection

with claim 41. In addition, dependent claims 2, 4, 5, 7-10, 15, 17, 18, 20-23, 25, 28, 30, 31, 33-36, and 38 depend directly or indirectly from patentable independents claim 41-43, and incorporate all of their respective limitations, and therefore are also patentably distinguishable over the cited references for at least this reason. Therefore, the Applicant respectfully submits that the rejection against these claims is also overcome.

Rejection of Claims 6, 13, 19, 26, 32, and 39 under 35 U.S.C. 103(a)

The Office Action rejects claims 6, 13, 19, 26, 32, and 39 under 35 U.S.C. 103(a) as being unpatentable over Bertin in view of Hegde (U.S. Patent No. 6,570,875).

Hegde discloses an apparatus for multiprotocol switching and routing. The apparatus maintains sets of filters for forbidding communication between certain hosts, ports, and/or applications. Like Bertin, however, Hegde does not disclose or suggest modifying the matching criteria of a filter such that the filter grants access to any network device having a network address within a range of network addresses – that range being identified based on the network addresses associated with first and second network devices requesting access to a resource, as now set forth in the Applicant's claimed invention. Applicant therefore respectfully traverses this rejection because the cited references, whether taken alone or in combination, do not

disclose, teach, or suggest every element and limitation of the Applicant's invention as now claimed.

Moreover, dependent claims 6, 13, 19, 26, 32, and 39 depend directly or indirectly from patentable independent claim 41-43, and incorporate all of its respective limitations, and therefore are also patentably distinguishable over the cited references for at least this reason. Therefore, the Applicant respectfully submits that the rejection against these claims is also overcome.

Rejection of Claims 11, 24, and 37 under 35 U.S.C. 103(a)

The Office Action rejects claims 11, 24, and 37 under 35 U.S.C. 103(a) as being unpatentable over Bertin in view of Elleson (U.S. Patent No. 6,459, 682).

Elleson discloses a method of controlling packet traffic in an IP network that combines rates with traffic classes to "define codes for encoding the headers of packets to determine their network priority." Elleson, however, also does not disclose or suggest modifying the matching criteria of a filter such that the filter grants access to any network device having a network address within a range of network addresses – that range being identified based on the network addresses associated with first and second network devices requesting access to a resource, as now set forth in the Applicant's claimed invention. Applicant therefore respectfully traverses this rejection because the cited references, whether taken alone or in

combination, do not disclose, teach, or suggest every element and limitation of the Applicant's invention as now claimed.

Moreover, dependent claims 11, 24, and 37 depend directly or indirectly from patentable independent claims 41-43, and incorporate all of their respective limitations, and therefore are also patentably distinguishable over the cited references for at least this reason. Therefore, the Applicant respectfully submits that the rejection against these claims is also overcome.

CONCLUSION

In view of the arguments made herein, Applicant submits that the application is in condition for allowance and requests early favorable action by the Examiner.

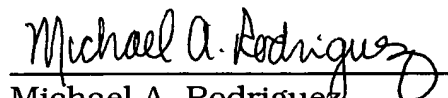
If the Examiner believes that a telephone conversation with the Applicant's representative would expedite allowance of this application, the Examiner is cordially invited to call the undersigned at (508) 303-2003.

Authorization is hereby granted to apply any credits or fees due in this case not covered by check to Deposit Account 50-2295.

Respectfully submitted,

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